



General Assembly

February Session, 2000

Amendment

LCO No. 4148

Offered by:

REP. EBERLE, 15th Dist.

To: Subst. House Bill No. 5792

File No. 369

Cal. No. 316

***"An Act Making Technical And Other Changes To
Certain Public Health Statutes."***

1 Before line 1, insert the following and renumber the remaining
2 sections accordingly:

3 "Section 1. Subsection (a) of section 17a-210 of the general statutes is
4 repealed and the following is substituted in lieu thereof:

5 (a) There shall be a Department of Mental Retardation. The
6 Department of Mental Retardation, with the advice of a Council on
7 Mental Retardation, shall be responsible for the planning,
8 development and administration of complete, comprehensive and
9 integrated state-wide services for persons with mental retardation and
10 persons medically diagnosed as having Prader-Willi syndrome. The
11 Department of Mental Retardation shall be under the supervision of a
12 Commissioner of Mental Retardation, who shall be appointed by the
13 Governor in accordance with the provisions of sections 4-5 to 4-8,
14 inclusive. The Council on Mental Retardation may advise the
15 Governor on the appointment. The commissioner shall be a person
16 who has background, training, education or experience in

17 administering programs for the care, training, education, treatment
18 and custody of persons with mental retardation. The commissioner
19 shall be responsible, with the advice of the council, for planning and
20 developing complete, comprehensive and integrated state-wide
21 services for persons with mental retardation; for the implementation
22 and where appropriate the funding of such services; and for the
23 coordination of the efforts of the Department of Mental Retardation
24 with those of other state departments and agencies, municipal
25 governments and private agencies concerned with and providing
26 services for persons with mental retardation. The commissioner shall
27 be responsible for the administration and operation of the state
28 training school, state mental retardation regions and all state-operated
29 community-based residential facilities established for the diagnosis,
30 care and training of persons with mental retardation. The
31 commissioner shall be responsible for establishing standards,
32 providing technical assistance and exercising the requisite supervision
33 of all state-supported residential, day and program support services
34 for persons with mental retardation and work activity programs
35 operated pursuant to section 17a-226. The commissioner shall conduct
36 or monitor investigations into allegations of abuse and neglect and file
37 reports as requested by state agencies having statutory responsibility
38 for the conduct and oversight of such investigations. The
39 commissioner shall stimulate research by public and private agencies,
40 institutions of higher learning and hospitals, in the interest of the
41 elimination and amelioration of retardation and care and training of
42 persons with mental retardation.

43 Sec. 2. Subsection (b) of section 19a-77 of the general statutes is
44 repealed and the following is substituted in lieu thereof:

45 (b) For registration and licensing requirement purposes, child day
46 care services shall not include such services which are:

47 (1) (A) Administered by a public school system, or (B) administered
48 by a municipal agency or department and located in a public school
49 building;

50 (2) Administered by a private school which is in compliance with
51 section 10-188 and is approved by the State Board of Education or is
52 accredited by an accrediting agency recognized by the State Board of
53 Education;

54 (3) Recreation operations such as but not limited to creative art
55 studios for children that offer parent-child recreational programs and
56 classes in music, dance, drama and art that are no longer than two
57 hours in length, library programs, boys' and girls' clubs, church-related
58 activities, scouting, camping or community-youth programs;

59 (4) Informal arrangements among neighbors or relatives in their
60 own homes, provided the relative is limited to any of the following
61 degrees of kinship by blood or marriage to the child being cared for or
62 to the child's parent: Child, grandchild, sibling, niece, nephew, aunt,
63 uncle or child of one's aunt or uncle;

64 (5) Drop-in supplementary child care operations for educational or
65 recreational purposes and the child receives such care infrequently
66 where the parents are on the premises; or

67 (6) Drop-in supplementary child care operations in retail
68 establishments where the parents are on the premises for retail
69 shopping, in accordance with section 19a-77a, as amended, provided
70 that the drop-in supplementary child-care operation does not charge a
71 fee and does not refer to itself as a child day care center.

72 Sec. 3. Section 19a-84 of the general statutes is repealed and the
73 following is substituted in lieu thereof:

74 (a) When the Commissioner of Public Health has reason to believe
75 any person licensed under sections 19a-77 to 19a-80, inclusive, and 19a-
76 82 to 19a-87, inclusive, has failed substantially to comply with the
77 regulations adopted under said sections, [he] the commissioner may
78 notify [said] the licensee in writing of [his] the commissioner's
79 intention to suspend or revoke the license or to impose a licensure
80 action. Such notice shall be served by certified mail stating the

81 particular reasons for the proposed action. The [license applicant or
82 license holder] licensee may, if aggrieved by such intended action,
83 make application for a hearing in writing over [his] the licensee's
84 signature to the commissioner. The [aggrieved person] licensee shall
85 state in the application in plain language the reasons why [he] the
86 licensee claims to be aggrieved. The application shall be delivered to
87 the [Commissioner of Public Health] commissioner within thirty days
88 of the [aggrieved person's] licensee's receipt of notification of the
89 intended action. The commissioner shall thereupon hold a hearing
90 within sixty days from receipt [thereof] of such application and shall,
91 at least ten days prior to the date of such hearing, mail a notice, giving
92 the time and place [thereof] of the hearing, to [such aggrieved person]
93 the licensee. The hearing may be conducted by the commissioner or by
94 a hearing officer appointed by the commissioner in writing. The
95 [license applicant or] licensee and the commissioner or hearing officer
96 may issue subpoenas requiring the attendance of witnesses. The
97 [license applicant or] licensee shall be entitled to be represented by
98 counsel and a transcript of the hearing shall be made. If the hearing is
99 conducted by a hearing officer, [he] the hearing officer shall state [his]
100 the hearing officer's findings and make a recommendation to the
101 commissioner on the issue of revocation [and] or suspension or the
102 intended [licensure denial or] licensure action. The commissioner,
103 based upon [said] the findings and recommendation of the hearing
104 officer, or after a hearing conducted by [him] the commissioner, shall
105 render [his] the commissioner's decision in writing suspending,
106 revoking or continuing [said] the license or regarding the intended
107 [licensure denial or] licensure action. A copy of the decision shall be
108 sent by certified mail to the [license applicant or] licensee. The decision
109 revoking or suspending the license or a decision imposing a licensure
110 action shall become effective thirty days after it is mailed by registered
111 or certified mail to the licensee. A [license applicant or] licensee
112 aggrieved by the decision of the commissioner may appeal as provided
113 in section 19a-85.

114 (b) The provisions of this section shall not apply to the denial of an

115 initial application for a license under sections 19a-77 to 19a-80,
116 inclusive, and 19a-82 to 19a-87, inclusive, provided the commissioner
117 shall notify the applicant of any such denial and the reasons for such
118 denial by mailing written notice to the applicant at the applicant's
119 address shown on the license application.

120 Sec. 4. Section 19a-87e of the general statutes is repealed and the
121 following is substituted in lieu thereof:

122 (a) The Commissioner of Public Health [shall have the discretion to]
123 may refuse to license under section 19a-87b, as amended, a person to
124 own, conduct, operate or maintain a family day care home, as defined
125 in section 19a-77, or to suspend or revoke the license or take any other
126 action that may be set forth in regulation that may be adopted
127 pursuant to section 19a-79 if the person who owns, conducts,
128 maintains or operates the family day care home, or a person employed
129 [therein] in such family day care home in a position connected with the
130 provision of care to a child receiving child day care services, has been
131 convicted, in this state or any other state of a felony, as defined in
132 section 53a-25, involving the use, attempted use or threatened use of
133 physical force against another person, or has a criminal record in this
134 state or any other state that the commissioner reasonably believes
135 renders the person unsuitable to own, conduct, operate or maintain or
136 be employed by a family day care home, or if such persons or a person
137 residing in the household has been convicted in this state or any other
138 state of cruelty to persons under section 53-20, injury or risk of injury
139 to or impairing morals of children under section 53-21, abandonment
140 of children under the age of six years under section 53-23, or any
141 felony where the victim of the felony is a child under eighteen years of
142 age, a violation of section 53a-70, as amended, 53a-70a, as amended,
143 53a-70b, 53a-71, 53a-72a, 53a-72b, as amended, or 53a-73a, illegal
144 manufacture, distribution, sale, prescription, dispensing or
145 administration under section 21a-277 or 21a-278, or illegal possession
146 under section 21a-279, or if such person, or a person employed
147 [therein] in such family day care home in a position connected with the
148 provision of care to a child receiving child day care services, either fails

149 to substantially comply with the regulations adopted pursuant to
150 section 19a-87b, as amended, or conducts, operates or maintains the
151 home in a manner which endangers the health, safety and welfare of
152 the children receiving child day care services. [However, no] Any
153 refusal of a license pursuant to this section shall be rendered [except]
154 in accordance with the provisions of sections 46a-79 to 46a-81,
155 inclusive. Any person whose license has been revoked pursuant to this
156 section shall be ineligible to apply for a license for a period of one year
157 from the effective date of revocation.

158 (b) When the [Commissioner of Public Health] commissioner
159 intends to [refuse a license or to] suspend or revoke a license or take
160 any other action against a license set forth in regulation adopted
161 pursuant to section 19a-79, [he] the commissioner shall notify the
162 [license applicant or license holder] licensee in writing of [his] the
163 commissioner's intended action. The [license applicant or license
164 holder] licensee may, if aggrieved by such intended action, make
165 application for a hearing in writing over [his] the licensee's signature to
166 the commissioner. The [aggrieved person] licensee shall state in the
167 application in plain language the reasons why [he] the licensee claims
168 to be aggrieved. The application shall be delivered to the
169 [Commissioner of Public Health] commissioner within thirty days of
170 the [aggrieved person's] licensee's receipt of notification of the
171 intended action. The commissioner shall thereupon hold a hearing
172 within sixty days from receipt [thereof] of such application and shall,
173 at least ten days prior to the date of such hearing, mail a notice, giving
174 the time and place [thereof] of the hearing, to [such aggrieved person]
175 the licensee. The provisions of this subsection shall not apply to the
176 denial of an initial application for a license under section 19a-87b, as
177 amended, provided the commissioner shall notify the applicant of any
178 such denial and the reasons for such denial by mailing written notice
179 to the applicant at the applicant's address shown on the license
180 application.

181 (c) Any person who is licensed to conduct, operate or maintain a
182 family day care home shall notify the commissioner of any conviction

183 of the owner, conductor, operator or maintainer of the family day care
184 home or of any person residing in the household or any person
185 employed [therein] in such family day care home in a position
186 connected with the provision of care to a child receiving child day care
187 services, of a crime which affects the commissioner's discretion under
188 subsection (a) of this section, immediately upon obtaining knowledge
189 of such conviction. Failure to comply with the notification requirement
190 of this subsection may result in the suspension or revocation of the
191 license or [take] the taking of any other action against a license set
192 forth in regulation adopted pursuant to section 19a-79 and shall subject
193 the licensee to a civil penalty of not more than one hundred dollars per
194 day for each day after the person obtained knowledge of the
195 conviction.

196 (d) It shall be a class A misdemeanor for any person seeking
197 employment in a position connected with the provision of care to a
198 child receiving family day care home services to make a false written
199 statement regarding prior criminal convictions pursuant to a form
200 bearing notice to the effect that such false statements are punishable,
201 which statement [he] such person does not believe to be true and is
202 intended to mislead the prospective employer.

203 (e) Any person having reasonable cause to believe that a family day
204 care home, as defined in section 19a-77, is operating without a current
205 and valid license or in violation of the regulations adopted under
206 section 19a-87b, as amended, or in a manner which may pose a
207 potential danger to the health, welfare and safety of a child receiving
208 child day care services, may report such information to any office of
209 the Department of Public Health. The department shall investigate any
210 report or complaint received pursuant to this subsection. The name of
211 the person making the report or complaint shall not be disclosed
212 unless (1) such person consents to such disclosure, (2) a judicial or
213 administrative proceeding results [therefrom] from such report or
214 complaint, or (3) a license action pursuant to subsection (a) of this
215 section results [therefrom] from such report or complaint. All records
216 obtained by the department in connection with any such investigation

217 shall not be subject to the provisions of section 1-210, as amended, for a
218 period of thirty days from the date of the petition or other event
219 initiating such investigation, or until such time as the investigation is
220 terminated pursuant to a withdrawal or other informal disposition or
221 until a hearing is convened pursuant to chapter 54, whichever is
222 earlier. A formal statement of charges issued by the department shall
223 be subject to the provisions of section 1-210, as amended, from the time
224 that it is served or mailed to the respondent. Records which are
225 otherwise public records shall not be deemed confidential merely
226 because they have been obtained in connection with an investigation
227 under this section."

228 After line 16, insert the following and renumber the remaining
229 sections accordingly:

230 "Sec. 6. Subsection (b) of section 19a-195a of the general statutes is
231 repealed and the following is substituted in lieu thereof:

232 (b) The commissioner shall adopt regulations, in accordance with
233 the provisions of chapter 54, to (1) provide for state-wide
234 standardization of certification for ["emergency medical technician-
235 intermediate"] each class of (A) emergency medical technicians,
236 including, but not limited to, paramedics, (B) emergency medical
237 services instructors, and (C) medical response technicians, (2) allow
238 course work for such certification to be taken state-wide, and (3) allow
239 persons so certified to perform within their scope of certification state-
240 wide."

241 Strike out lines 125 to 430, inclusive, in their entirety and insert the
242 following in lieu thereof:

243 "Sec. 10. Section 38a-488a of the general statutes, as amended by
244 section 27 of public act 99-284, is repealed and the following is
245 substituted in lieu thereof:

246 (a) Each individual health insurance policy providing coverage of
247 the type specified in subdivisions (1), (2), (4), (11) and (12) of section

248 38a-469 delivered, issued for delivery, renewed, amended or continued
249 in this state on or after January 1, 2000, shall provide benefits for the
250 diagnosis and treatment of mental or nervous conditions. For the
251 purposes of this section, "mental or nervous conditions" means mental
252 disorders, as defined in the most recent edition of the American
253 Psychiatric Association's "Diagnostic and Statistical Manual of Mental
254 Disorders". "Mental or nervous conditions" does not include (1) mental
255 retardation, (2) learning disorders, (3) motor skills [disorder] disorders,
256 (4) communication disorders, (5) caffeine-related disorders, (6)
257 relational problems, and (7) additional conditions that may be a focus
258 of clinical attention, that are not otherwise defined as mental disorders
259 in the most recent edition of the American Psychiatric Association's
260 "Diagnostic and Statistical Manual of Mental Disorders".

261 (b) No such policy shall establish any terms, conditions or benefits
262 that place a greater financial burden on an insured for access to
263 diagnosis or treatment of mental or nervous conditions than for
264 diagnosis or treatment of medical, surgical or other physical health
265 conditions.

266 (c) In the case of benefits payable for the services of a licensed
267 physician, such benefits shall be payable for the same services when
268 such services are lawfully rendered by a psychologist licensed under
269 the provisions of chapter 383 or by such a licensed psychologist in a
270 licensed hospital or clinic.

271 (d) [(1)] In the case of benefits payable for the services of a licensed
272 physician or psychologist, such benefits shall be payable for the same
273 services when such services are rendered by:

274 (1) [a] A clinical social worker who is licensed under the provisions
275 of chapter 383b and who has passed the clinical examination of the
276 American Association of State Social Work Boards and has completed
277 at least two thousand hours of the post-master's social work experience
278 in a nonprofit agency qualifying as a tax-exempt organization under
279 Section 501(c) of the Internal Revenue Code of 1986 or any subsequent

280 corresponding internal revenue code of the United States, as from time
281 to time amended, in a municipal, state or federal agency or in an
282 institution licensed by the Department of Public Health under section
283 19a-490; [. (2) In the case of benefits payable for the services of a
284 licensed physician or psychologist, such benefits shall be payable for
285 the same services when such services are rendered by]

286 (2) [a] A social worker who was certified as an independent social
287 worker under the provisions of chapter 383b prior to October 1, 1990; [. (3) In the case of benefits payable for the services of a licensed
288 physician or psychologist, such benefits shall be payable for the same
289 services when such services are rendered by]

291 (3) [a] A licensed marital and family therapist who has completed at
292 least two thousand hours of the post-master's marriage and family
293 therapy work experience in a nonprofit agency qualifying as a tax-
294 exempt organization under Section 501(c) of the Internal Revenue
295 Code of 1986 or any subsequent corresponding internal revenue code
296 of the United States, as from time to time amended, in a municipal,
297 state or federal agency or in an institution licensed by the Department
298 of Public Health under section 19a-490; [. (4) In the case of benefits
299 payable for the services of a licensed physician or psychologist, such
300 benefits shall be payable for the same services when such services are
301 rendered by]

302 (4) [a] A marital and family therapist who was certified under the
303 provisions of chapter 383a prior to October 1, 1992; [. (5) In the case of
304 benefits payable for the services of a licensed physician or
305 psychologist, such benefits shall be payable for the same services when
306 such services are rendered by]

307 (5) [a] A licensed alcohol and drug counselor, as defined in section
308 20-74s, as amended, or a certified alcohol and drug counselor, as
309 defined in section 20-74s, as amended; or

310 (6) A licensed professional counselor.

311 (e) For purposes of this section, the term "covered expenses" means
312 the usual, customary and reasonable charges for treatment deemed
313 necessary under generally accepted medical standards, except that in
314 the case of a managed care plan, as defined in section 38a-478,
315 "covered expenses" means the payments agreed upon in the contract
316 between a managed care organization, as defined in section 38a-478,
317 and a provider, as defined in section 38a-478.

318 (f) (1) In the case of benefits payable for the services of a licensed
319 physician, such benefits shall be payable for (A) services rendered in a
320 child guidance clinic or residential treatment facility by a person with a
321 master's degree in social work or by a person with a master's degree in
322 marriage and family therapy under the supervision of a psychiatrist,
323 physician, licensed marital and family therapist, or licensed clinical
324 social worker who is eligible for reimbursement under subdivisions (1)
325 to (4), inclusive, of subsection (d) of this section; (B) services rendered
326 in a residential treatment facility by a licensed or certified alcohol and
327 drug counselor who is eligible for reimbursement under subdivision
328 (5) of subsection (d) of this section; or (C) services rendered in a
329 residential treatment facility by a licensed professional counselor who
330 is eligible for reimbursement under subdivision (6) of subsection (d) of
331 this section.

332 (2) In the case of benefits payable for the services of a licensed
333 psychologist under subsection (d) of this section, such benefits shall be
334 payable for (A) services rendered in a child guidance clinic or
335 residential treatment facility by a person with a master's degree in
336 social work or by a person with a master's degree in marriage and
337 family therapy under the supervision of such licensed psychologist,
338 licensed marital and family therapist, or licensed clinical social worker
339 who is eligible for reimbursement under subdivisions (1) to (4),
340 inclusive, of subsection (d) of this section; [. (3) In the case of benefits
341 payable for the services of a licensed physician, such benefits shall be
342 payable for services rendered in a residential treatment facility by a
343 licensed or certified alcohol and drug counselor who is eligible for
344 reimbursement under subdivision (5) of subsection (d) of this section.

345 (4) In the case of benefits payable for the services of a licensed
346 psychologist under subsection (d) of this section, such benefits shall be
347 payable for] (B) services rendered in a residential treatment facility by
348 a licensed or certified alcohol and drug counselor who is eligible for
349 reimbursement under subdivision (5) of subsection (d) of this section;
350 or (C) services rendered in a residential treatment facility by a licensed
351 professional counselor who is eligible for reimbursement under
352 subdivision (6) of subsection (d) of this section.

353 (g) In the case of benefits payable for the service of a licensed
354 physician practicing as a psychiatrist or a licensed psychologist, under
355 subsection (d) of this section, such benefits shall be payable for
356 outpatient services rendered (1) in a nonprofit community mental
357 health center, as defined by the Department of Mental Health and
358 Addiction Services, in a nonprofit licensed adult psychiatric clinic
359 operated by an accredited hospital or in a residential treatment facility;
360 (2) under the supervision of a licensed physician practicing as a
361 psychiatrist, a licensed psychologist, a licensed marital and family
362 therapist, a licensed clinical social worker, [or] a licensed or certified
363 alcohol and drug counselor or a licensed professional counselor who is
364 eligible for reimbursement under subdivisions (1) to [(5)] (6), inclusive,
365 of subsection (d) of this section; and (3) within the scope of the license
366 issued to the center or clinic by the Department of Public Health or to
367 the residential treatment facility by the Department of Children and
368 Families.

369 (h) Except in the case of emergency services or in the case of services
370 for which an individual has been referred by a physician affiliated
371 with a health care center, nothing in this section shall be construed to
372 require a health care center to provide benefits under this section
373 through facilities that are not affiliated with the health care center.

374 (i) In the case of any person admitted to a state institution or facility
375 administered by the Department of Mental Health and Addiction
376 Services, Department of Public Health, Department of Children and
377 Families or the Department of Mental Retardation, the state shall have

378 a lien upon the proceeds of any coverage available to such person or a
379 legally liable relative of such person under the terms of this section, to
380 the extent of the per capita cost of such person's care. Except in the case
381 of emergency services, the provisions of this subsection shall not apply
382 to coverage provided under a managed care plan, as defined in section
383 38a-478.

384 Sec. 11. Section 38a-514 of the general statutes, as amended by
385 section 28 of public act 99-284, is repealed and the following is
386 substituted in lieu thereof:

387 (a) Except as provided in subsection (j) of this section, each group
388 health insurance policy, providing coverage of the type specified in
389 subdivisions (1), (2), (4), (11) and (12) of section 38a-469, delivered,
390 issued for delivery, renewed, amended or continued in this state on or
391 after January 1, 2000, shall provide benefits for the diagnosis and
392 treatment of mental or nervous conditions. For the purposes of this
393 section, "mental or nervous conditions" means mental disorders, as
394 defined in the most recent edition of the American Psychiatric
395 Association's "Diagnostic and Statistical Manual of Mental Disorders".
396 "Mental or nervous conditions" does not include (1) mental
397 retardation, (2) learning disorders, (3) motor skills [disorder] disorders,
398 (4) communication disorders, (5) caffeine-related disorders, (6)
399 relational problems, and (7) additional conditions that may be a focus
400 of clinical attention, that are not otherwise defined as mental disorders
401 in the most recent edition of the American Psychiatric Association's
402 "Diagnostic and Statistical Manual of Mental Disorders".

403 (b) No such group policy shall establish any terms, conditions or
404 benefits that place a greater financial burden on an insured for access
405 to diagnosis or treatment of mental or nervous conditions than for
406 diagnosis or treatment of medical, surgical or other physical health
407 conditions.

408 (c) In the case of benefits payable for the services of a licensed
409 physician, such benefits shall be payable for the same services when

410 such services are lawfully rendered by a psychologist licensed under
411 the provisions of chapter 383 or by such a licensed psychologist in a
412 licensed hospital or clinic.

413 (d) [(1)] In the case of benefits payable for the services of a licensed
414 physician or psychologist, such benefits shall be payable for the same
415 services when such services are rendered by:

416 (1) [a] A clinical social worker who is licensed under the provisions
417 of chapter 383b and who has passed the clinical examination of the
418 American Association of State Social Work Boards and has completed
419 at least two thousand hours of the post-master's social work experience
420 in a nonprofit agency qualifying as a tax-exempt organization under
421 Section 501(c) of the Internal Revenue Code of 1986 or any subsequent
422 corresponding internal revenue code of the United States, as from time
423 to time amended, in a municipal, state or federal agency or in an
424 institution licensed by the Department of Public Health under section
425 19a-490; [. (2) In the case of benefits payable for the services of a
426 licensed physician or psychologist, such benefits shall be payable for
427 the same services when such services are rendered by]

428 (2) [a] A social worker who was certified as an independent social
429 worker under the provisions of chapter 383b prior to October 1, 1990; [. (3)
430 In the case of benefits payable for the services of a licensed
431 physician or psychologist, such benefits shall be payable for the same
432 services when such services are rendered by]

433 (3) [a] A licensed marital and family therapist who has completed at
434 least two thousand hours of the post-master's marriage and family
435 therapy work experience in a nonprofit agency qualifying as a tax-
436 exempt organization under Section 501(c) of the Internal Revenue
437 Code of 1986 or any subsequent corresponding internal revenue code
438 of the United States, as from time to time amended, in a municipal,
439 state or federal agency or in an institution licensed by the Department
440 of Public Health under section 19a-490; [. (4) In the case of benefits
441 payable for the services of a licensed physician or psychologist, such

442 benefits shall be payable for the same services when such services are
443 rendered by]

444 (4) [a] A marital and family therapist who was certified under the
445 provisions of chapter 383a prior to October 1, 1992; [. (5) In the case of
446 benefits payable for the services of a licensed physician or
447 psychologist, such benefits shall be payable for the same services when
448 such services are rendered by]

449 (5) [a] A licensed alcohol and drug counselor, as defined in section
450 20-74s, as amended, or a certified alcohol and drug counselor, as
451 defined in section 20-74s, as amended; or

452 (6) A licensed professional counselor.

453 (e) For purposes of this section, the term "covered expenses" means
454 the usual, customary and reasonable charges for treatment deemed
455 necessary under generally accepted medical standards, except that in
456 the case of a managed care plan, as defined in section 38a-478,
457 "covered expenses" means the payments agreed upon in the contract
458 between a managed care organization, as defined in section 38a-478,
459 and a provider, as defined in section 38a-478.

460 (f) (1) In the case of benefits payable for the services of a licensed
461 physician, such benefits shall be payable for (A) services rendered in a
462 child guidance clinic or residential treatment facility by a person with a
463 master's degree in social work or by a person with a master's degree in
464 marriage and family therapy under the supervision of a psychiatrist,
465 physician, licensed marital and family therapist or licensed clinical
466 social worker who is eligible for reimbursement under subdivisions (1)
467 to (4), inclusive, of subsection (d) of this section; (B) services rendered
468 in a residential treatment facility by a licensed or certified alcohol and
469 drug counselor who is eligible for reimbursement under subdivision
470 (5) of subsection (d) of this section; or (C) services rendered in a
471 residential treatment facility by a licensed professional counselor who
472 is eligible for reimbursement under subdivision (6) of subsection (d) of
473 this section.

474 (2) In the case of benefits payable for the services of a licensed
475 psychologist under subsection (d) of this section, such benefits shall be
476 payable for (A) services rendered in a child guidance clinic or
477 residential treatment facility by a person with a master's degree in
478 social work or by a person with a master's degree in marriage and
479 family therapy under the supervision of such licensed psychologist,
480 licensed marital and family therapist or licensed clinical social worker
481 who is eligible for reimbursement under subdivisions (1) to (4),
482 inclusive, of subsection (d) of this section; [. (3) In the case of benefits
483 payable for the services of a licensed physician, such benefits shall be
484 payable for services rendered in a residential treatment facility by a
485 licensed or certified alcohol and drug counselor who is eligible for
486 reimbursement under subdivision (5) of subsection (d) of this section.
487 (4) In the case of benefits payable for the services of a licensed
488 psychologist under subsection (d) of this section, such benefits shall be
489 payable for] (B) services rendered in a residential treatment facility by
490 a licensed or certified alcohol and drug counselor who is eligible for
491 reimbursement under subdivision (5) of subsection (d) of this section;
492 or (C) services rendered in a residential treatment facility by a licensed
493 professional counselor who is eligible for reimbursement under
494 subdivision (6) of subsection (d) of this section.

495 (g) In the case of benefits payable for the service of a licensed
496 physician practicing as a psychiatrist or a licensed psychologist, under
497 subsection (d) of this section, such benefits shall be payable for
498 outpatient services rendered (1) in a nonprofit community mental
499 health center, as defined by the Department of Mental Health and
500 Addiction Services, in a nonprofit licensed adult psychiatric clinic
501 operated by an accredited hospital or in a residential treatment facility;
502 (2) under the supervision of a licensed physician practicing as a
503 psychiatrist, a licensed psychologist, a licensed marital and family
504 therapist, a licensed clinical social worker, [or] a licensed or certified
505 alcohol and drug counselor, or a licensed professional counselor who
506 is eligible for reimbursement under subdivisions (1) to [(5)] (6),
507 inclusive, of subsection (d) of this section; and (3) within the scope of

508 the license issued to the center or clinic by the Department of Public
509 Health or to the residential treatment facility by the Department of
510 Children and Families.

511 (h) Except in the case of emergency services or in the case of services
512 for which an individual has been referred by a physician affiliated
513 with a health care center, nothing in this section shall be construed to
514 require a health care center to provide benefits under this section
515 through facilities that are not affiliated with the health care center.

516 (i) In the case of any person admitted to a state institution or facility
517 administered by the Department of Mental Health and Addiction
518 Services, Department of Public Health, Department of Children and
519 Families or the Department of Mental Retardation, the state shall have
520 a lien upon the proceeds of any coverage available to such person or a
521 legally liable relative of such person under the terms of this section, to
522 the extent of the per capita cost of such person's care. Except in the case
523 of emergency services the provisions of this subsection shall not apply
524 to coverage provided under a managed care plan, as defined in section
525 38a-478.

526 (j) A group health insurance policy may exclude the benefits
527 required by this section if such benefits are included in a separate
528 policy issued to the same group by an insurance company, health care
529 center, hospital service corporation, medical service corporation or
530 fraternal benefit society. Such separate policy, which shall include the
531 benefits required by this section and the benefits required by section
532 38a-533, as amended, shall not be required to include any other
533 benefits mandated by this title.

534 (k) In the case of benefits based upon confinement in a residential
535 treatment facility, such benefits shall be payable only in situations in
536 which (A) the insured has a serious mental illness which substantially
537 impairs the person's thought, perception of reality, emotional process,
538 or judgment or grossly impairs behavior as manifested by recent
539 disturbed behavior, (B) the insured has been confined in a hospital for

540 such illness for a period of at least three days immediately preceding
541 such confinement in a residential treatment facility, and (C) such
542 illness would otherwise necessitate continued confinement in a
543 hospital if such care and treatment were not available through a
544 residential treatment center for children and adolescents.

545 (l) The services rendered for which benefits are to be paid for
546 confinement in a residential treatment facility must be based on an
547 individual treatment plan. For purposes of this section, the term
548 "individual treatment plan" means a treatment plan prescribed by a
549 physician with specific attainable goals and objectives appropriate to
550 both the patient and the treatment modality of the program."

551 After line 505, insert the following and renumber the remaining
552 sections accordingly:

553 "Sec. 16. (NEW) (a) As used in this section, "emergency medical
554 technician" means (1) any class of emergency medical technician
555 certified under regulations adopted pursuant to section 19a-179 of the
556 general statutes, including, but not limited to, any emergency medical
557 technician-intermediate, (2) any medical response technician certified
558 under such regulations, and (3) any paramedic licensed pursuant to
559 section 20-206ll of the general statutes.

560 (b) Any emergency medical technician who has been trained, in
561 accordance with national standards recognized by the Commissioner
562 of Public Health, in the administration of epinephrine using automatic
563 prefilled cartridge injectors or similar automatic injectable equipment
564 and who functions in accordance with written protocols and the
565 standing orders of a licensed physician serving as an emergency
566 department director may administer epinephrine using such injectors
567 or equipment. All emergency medical technicians shall (1) receive such
568 training, (2) be equipped with epinephrine in such injectors or
569 equipment and with an automatic external defibrillator, and (3) be
570 capable of providing such epinephrine at the scene of each call to
571 which the emergency medical technician responds."